



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.  
County Counsel

January 27, 2009

TELEPHONE  
(213) 974-7546  
FACSIMILE  
(213) 613-4751  
TDD  
(213) 633-0901

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

Agenda No. 9

#21 OF FEBRUARY 3, 2009 10/28/08

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**Re: CONDITIONAL USE PERMIT CASE NO. 05-055-(5)  
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the Regional Planning Commission's approval of the above-referenced permit, which proposes the construction, operation, and maintenance of a water distribution and sales facility near the unincorporated communities of Sleepy Valley and Agua Dulce. At the completion of the hearing, you indicated an intent to approve the permit, with several amendments, and instructed us to prepare findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.  
County Counsel

By

*[Signature]*  
LAWRENCE L. HAFETZ  
Principal Deputy County Counsel  
Property Division

APPROVED AND RELEASED:

*[Signature]*  
RAYMOND G. FORTNER, JR.  
County Counsel

LLH:sh  
Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
FOR CONDITIONAL USE PERMIT CASE NO. 05-055-(5)**

1. The Board of Supervisors ("Board") of the County of Los Angeles ("County") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 05-055-(5) ("CUP") on October 28, 2008. The Los Angeles County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on August 17, 2005, August 1, 2007, October 17, 2007, January 9, 2008, and March 19, 2008.
2. The permittee, Roy Ramey, requests the CUP to authorize the construction, operation, and maintenance of a water distribution and sales facility in the A-1-1 zone (Light Agricultural-One Acre Minimum Required Area) on a 7.67-acre parcel. The proposed operation would make use of an existing well and pump house, two existing 10,000 gallon water storage tanks, and three 3,800 water-hauling trucks.
3. The subject property is located at 12800 Sierra Highway between Sierra Vallejo Road and Steele Avenue within unincorporated Los Angeles County, adjacent to the unincorporated communities of Sleepy Valley to the north and west and Agua Dulce to the east.
4. Approximately one-third of the subject property, located on the north central and northwesterly portion of the site, is relatively flat or mildly hilly. This portion of the site has disturbed and natural areas, five oak trees, and chaparral. The rest of the site is hilly, with chaparral and 12 oak trees. A blue-line stream runs through an easterly portion of the site in a north – south direction. The Sleepy Valley community lies to the north and west of the site on both sides of Sierra Highway.
5. Access to the site is from Sierra Highway.
6. The subject property is zoned A-1-1.
7. The surrounding properties are zoned as follows:

North:	C-3 (Unlimited Commercial);
East:	A-1-1;
South:	A-2-1 (Heavy Agricultural-One Acre Minimum Required Area); and
West:	A-1-1 and R-3 (Limited Multiple Residences).
8. The 7.67-acre site is currently developed with a non-operating water distribution facility with the structures described in Finding No. 2.

9. Land uses surrounding the subject property are as follows:

North: Mobile Home Park;  
South: Vacant;  
East: Vacant; and  
West: Vacant and Residences.

10. A previous zoning case for the subject property was Plot Plan Case No. 39681, approved in May 1990, for the installation and operation of a power pole on the permittee's well structure to serve a Christmas tree cultivation farm.
11. A previous zoning enforcement case for the subject property was Zoning Enforcement Case No. 04-0021678/EF040024, filed because of the permittee's operation of a water distribution facility without a CUP. This case was referred to the Los Angeles County District Attorney ("District Attorney"), who set a trial date for the matter on September 9, 2005. In a letter dated July 11, 2005, the County Department of Regional Planning ("Regional Planning") Zoning Enforcement Section informed the District Attorney that the illegal water distribution use had ceased and that no zoning violations remained at the site. There continue to be no zoning violations at the site.
12. The permittee's existing well is supplied by the non-adjudicated Mint Canyon Aquifer ("Aquifer"). The Sleepy Valley Water Company ("Sleepy Valley WC"), serving approximately 60 residences in the Sleepy Valley community, shares the same Aquifer.
13. The land use designation for the subject property within the Santa Clarita Valley Area Plan ("Area Plan") is Non-Urban 1 ("N1"). The following goals and policies of the Area Plan are applicable to the subject property and serve as guidelines for development:
- A. "In urban areas, institute measures to mitigate the impacts of environmental hazards, as feasible, for the maintenance of public health, safety, and welfare." (Area Plan, P. 14, Policy No. 4.4.) Though rural in character, the community surrounding the site has urban characteristics and a need for community water services.
  - B. "Encourage development of convenient services to meet the needs of Santa Clarita Valley residents including health, education, welfare, police and fire protection; governmental operations; recreation and cultural facilities; and public utilities. Such services should be expanded at a rate commensurate with population growth. Phasing of development and implementation should be timed to prevent gaps in service as the area grows. Where feasible, service facilities will be established in central urban areas, with branches located in outlying communities. When the population base in a community is too small to support a facility, a

common facility - to be shared by several small communities - should be established at a central point." (Area Plan, P. 15, Policy No. 7.1.) The project will provide needed water-hauling services to existing residences where limited or no local water supply is available.

- C. "Develop and use groundwater sources to their safe yield limits, but not to the extent that degradation of the groundwater basins occurs." (Area Plan, P. 23, Policy No. 1.1.) The hydro-geologic information provided by the permittee and reviewed by the Los Angeles County Department of Public Works Geotechnical Division ("Public Works") estimated the safe yield at which water may be withdrawn from the Aquifer while not negatively impacting the water supply of other users of the same Aquifer. Based on its review, Public Works indicated that under normal weather conditions, pumping 40,173 gallons of water from the permittee's well per day should have no impact on other wells located near the site. The project conditions impose such a daily pumping limitation on the permittee's use. In addition, to address the project's potential impacts to nearby wells during unusual weather conditions, such as a drought, the project conditions impose a limit on the permittee's pumping based on the well-water depth of the subject well, described further in Finding No. 31.
  - D. "Use imported water to relieve overdrafted groundwater basins and maintain their safe yield for domestic uses outside of urban areas." (Area Plan, P. 23, Policy No. 1.2.) The project provides hauled water to existing residential users in the surrounding area that previously used an overdrafted water supply, or otherwise lacked other local water sources.
- 14. The site plan for the project depicts the following: (a) two existing 10,000-gallon water tanks, each 12 feet in height and 16 feet in diameter, located at the eastern end of the subject property; (b) a water pipe and power pole 137 feet from the site's access to Sierra Highway; (c) an existing pumphouse located at the north central boundary of the subject property at Sierra Highway; (d) a future well and pumphouse, in the event such structures are needed; (e) two standard parking spaces and three truck parking spaces; and (f) 17 oak trees, none of which are impacted by the project.
  - 15. The well for the requested use is shared by no other users and obtains its water supply from the Aquifer. The Sleepy Valley WC obtains well water from the same Aquifer and its wells are located down-grade from the permittee's well by less than one-quarter mile, and supply water to approximately 60 residences in the Sleepy Valley community west of and adjacent to the project site.
  - 16. The project site is located within the Agua Dulce Community Standards District ("CSD"), described in section 22.44.113 of the Los Angeles County Code ("County Code"), and is governed by the applicable development standards in the CSD.

17. The CSD provides in part that: "except for commercial and industrial zones, the maximum paved width of local street improvements shall not exceed 24 feet, plus appropriate graded or paved inverted shoulders if required; provided however, that such width meets applicable fire department access requirements." (Section 22.44.113.D.2.a of the County Code.) The project is located adjacent to Sierra Highway, a major highway, and therefore, local street improvement standards do not apply.
18. The CSD provides in part that: "curbs, gutters, and sidewalks shall not be required on local streets if an acceptable alternative can be developed to the satisfaction of the director of Public Works." (Section 22.44.113.D.2.b of the County Code.) As previously noted, the project is located adjacent to Sierra Highway, a major highway, and therefore, local street improvement standards do not apply.
19. Section 22.24.100.A of the County Code provides that water pumping, storage, and distribution uses in the A-1 zone require a CUP. The relevant development standards in the A-1 zone for the project are set forth in section 22.24.110 of the County Code and relate to yard sizes and area requirements. The subject 7.67-acre water distribution facility meets these applicable development standards.
20. Section 22.52.1220 of the County Code provides that: "Where parking requirements for any use are not specified, parking shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based upon the requirements for the most comparable use specified in this Part 11 [relating to vehicle parking spaces]." The project will have no less than two standard parking spaces for employees and three parking spaces for water-hauling trucks, thus meeting these parking requirements.
21. A well permit from the Los Angeles County Department of Public Health ("DPH") is required prior to the permittee's use of its existing well or the construction of a new well.
22. Prior to the Commission's public hearing, the first of two Initial Studies was prepared for the project under the California Environmental Quality Act ("CEQA"). Based on the first Initial Study, Regional Planning determined that a Negative Declaration ("ND") was the appropriate environmental document for the project, finding that there was no substantial evidence that the project would have a significant effect on the environment.
23. Prior to the Commission's August 17, 2005 public hearing session, Regional Planning received several dozen letters and a petition signed by 170 local residents in support of the project. Regional Planning also received at least 40 letters and several telephone calls in opposition to the project.

24. Project opponents raised, among other things, a concern as to whether the Aquifer has adequate water supply to serve both the Sleepy Valley community and the permittee's project. In correspondence to Regional Planning, the Sleepy Valley WC indicated "strong opposition" to the project, raising concerns over project noise, air quality impacts, and the alleged adverse impact of the project on the local water supply.
25. American Water Well Service Inc. ("AWWS"), an entity providing well maintenance service to the Sleepy Valley WC for approximately 20 years, provided correspondence to Regional Planning explaining well conditions and water levels of the Sleepy Valley WC wells. The AWWS correspondence generally noted that over time, the Sleepy Valley WC wells have experienced performance problems and have not always reliably supplied an adequate water supply to its customers.
26. During the Commission's August 17, 2005 public hearing session, the Commission found that certain technical information for the project had not yet been submitted, including documentation from DPH for the approval of the permittee's well. The Commission also noted that the permittee had submitted limited information on the draw-down effects of the project on the Aquifer, which the Commission found relevant to its consideration of the project. The Commission took the matter off-calendar to allow the permittee sufficient time to obtain all such information.
27. In a letter dated April 16, 2007, after review of the permittee's hydro-geologic information submitted for the project, Public Works recommended that a reporting condition be imposed on the permittee to ensure its compliance with any and all water use restrictions required by the CUP. The conditions of approval include such a requirement.
28. During the Commission's August 1, 2007 public hearing session, DPH provided the Commission with written comments indicating that the permittee's well would be approved by DPH if the Commission approves the CUP.
29. During the Commission's August 1, 2007 public hearing session, the Commission was informed that information regarding the draw-down effects of the project on the Aquifer was still pending from the California Environmental Protection Agency, Division of Water Rights, State Water Resources Control Board ("SWRCB"). The Commission continued the matter to October 17, 2007.
30. On August 23, 2007, Earth Resources Inc. ("ERI"), a geology consulting firm and consultant to the applicant, issued a report showing groundwater underflow calculations of the Aquifer. The report found that if the well-water level of the permittee's well is not lower than 55 feet below ground surface, the well would have no impact on the water supply to the down-grade users of the Aquifer. Public Works reviewed and concurred with the findings in this report.

31. At the October 17, 2007 public hearing session, the Commission was informed that the permittee had recently submitted a report on the draw-down effects of the project on the Sleepy Valley WC wells, but that review of the report was not yet completed by the SWRCB and Public Works. The Commission continued the matter to January 9, 2008, without taking testimony.
32. In a report dated December 10, 2007, the SWRCB discussed its review of a complaint by the Sleepy Valley WC regarding the permittee's CUP request. The report concluded that under normal hydrologic conditions, the proposed pumping of 40,173 gallons per day from the permittee's well would not have an impact on the water supply available to the Sleepy Valley WC. The report recommended that, for unusual hydrologic conditions such as drought, a pumping threshold should be used to protect the water supply to the Sleepy Valley WC. In this connection, the SWRCB recommended that when the well-water level of the permittee's well is lower than 55 feet below ground surface, pumping should cease to protect the share of water needed to supply the Sleepy Valley WC.
33. During the Commission's January 8, 2008 public hearing session, the Commission continued the public hearing to March 19, 2008, at the request of the permittee, who sought additional time to correlate the various reviewing agency comments with the project's draft conditions.
34. Prior to the Commission's March 19, 2008 public hearing session, Regional Planning received 37 letters in support of the project. Regional Planning also received 41 letters and two petitions, with 28 and 40 signatures, respectively, in opposition to the project.
35. During the March 19, 2008 public hearing session, the Commission heard a presentation from Regional Planning and testimony from the permittee concerning the project. The Commission also heard testimony from eight persons in support of, and eight persons in opposition to, the project. Those in support testified regarding the project benefits of supplying water to area residents whose wells could not supply sufficient water to meet year-round water demands. Those in opposition raised concerns regarding the project's impact to other users of the Aquifer.
36. On March 19, 2008, after hearing all testimony, the Commission closed the public hearing, adopted the ND, and approved the CUP. In response to the opponent's concerns, and to ensure the permittee's use would have no negative impact on the water supply to the Sleepy Valley community, the Commission imposed a number of restrictions on the permittee's use, described in Finding No. 37 below.

37. The Commission imposed the following restrictions on the permittee's use: (1) the permittee was prohibited from pumping more than 40,173 gallons of water per day and 45 acre feet per year from the site; (2) water hauling from the site was limited to 15 one-way truck trips per day; (3) the permittee's operation could serve only residential customers; (4) in the event that the well-water depth of the permittee's well reached 55 feet below ground surface, the permittee was required to cease pumping until such time as the well-water depth rebounded to at least 50 feet below ground level; (5) in the event of a water shortage in the Sleepy Valley community, as declared by the Board, and if the permittee's well continued to supply water, the permittee was required to provide hauled water to impacted residents, subject to certain quantity and cost restrictions; and (6) the permittee was required to perform routine water-level testing at the site, make the test results available to Regional Planning for review, and provide annual summaries of the test results to Regional Planning.
38. Pursuant to section 22.60.230 of the County Code, Katherine M. Sloan, on behalf of the Sleepy Valley community, appealed the Commission's approval to the Board. The appeal alleged, among other things, that the permittee failed to provide sufficient evidence that the Aquifer had sufficient water to supply the permittee and the Sleepy Valley community, and that the permittee's operation could negatively impact the water supply of the Sleepy Valley WC. The appeal further alleged that the Commission's adoption of the ND was improper and that further environmental review for the project was necessary.
39. In a letter dated June 13, 2008, the California Department of Fish and Game ("DF&G") provided comments to Regional Planning regarding several potential environmental impacts of the project. DF&G noted that a blue-line stream exists on the site, and asserted among other things, that the permittee's operation could adversely impact the stream-flow availability for biological resources within the Mint Canyon watershed and the Santa Clara River. DF&G further asserted that such potential impacts were not addressed in the Initial Study for the project, and that a Streambed Alteration Agreement between DF&G and the permittee may be necessary to address such impacts.
40. On October 11, 2008, prior to the Board's appeal hearing, DF&G sent a Streambed Alteration Agreement to the permittee for its review and signature. In its cover letter, DF&G indicated that DF&G's signature would be withheld until it received evidence that the County had certified an environmental document for the project, and that the County had collected the requisite fees for the project under the California Fish and Game Code. On October 23, 2008, the permittee executed the agreement. DF&G provided no further comments concerning the project.



41. In a letter dated July 16, 2008, ERI responded to the DF&G letter and found, among other things, that the project would not significantly affect either the groundwater level of the Aquifer or the surface stream flow. Accordingly, ERI concluded that the project would have a less than significant impact on biological resources of the Mint Canyon watershed in the Sleepy Valley area.
42. In response to the appeal, the DF&G letter, and the continued opposition to the project by the Sleepy Valley WC and the Sleepy Valley community, Regional Planning determined that it would be appropriate to prepare a second Initial Study under CEQA prior to the Board's appeal hearing to further consider the potential environmental impacts of the project. At the same time, Regional Planning continued ongoing discussions with the Sleepy Valley WC, the Sleepy Valley community, and the permittee to determine how best to address the concerns of the project opponents while also allowing the permittee to viably operate the facility.
43. As a result of the second Initial Study, Regional Planning determined that rather than an ND, a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the project under CEQA. To mitigate potential water supply impacts to the Sleepy Valley community, the mitigation measures identified in the MND that were determined to eliminate the potential for significant adverse impacts were as follows: (a) that the permittee shall maintain a well-water level not lower than 55 feet below ground surface and shall operate its well so as to not reduce the water supply to the Sleepy Valley WC; and (b) that the permittee shall undertake extensive monitoring of its well-water levels and report the results of such monitoring to Regional Planning. These mitigation measures were to be carried out through a Mitigation Monitoring Program ("MMP") and, to the extent they conflicted with any of the above project conditions described in Finding No. 37, the MND mitigation measures would govern. In all other respects, the above project conditions would still apply to the project. The permittee agreed to the above-referenced mitigation measures prior to the release of the MND for review.
44. In accordance with CEQA, Regional Planning circulated the MND to the public for review and comment for the required time period. No comments on the MND were received during the public comment period.
45. On October 28, 2008, the Board conducted a public hearing on the appeal and heard a presentation from Regional Planning, testimony from the permittee and his representatives, and testimony from the project opponents. The Board considered the MND that had been recently prepared. The Sleepy Valley WC provided no testimony to the Board in opposition to the project.
46. The permittee and his representatives testified that the scientific evidence and pump testing submitted to Regional Planning and Public Works clearly showed that the requested use would have no impact on the water supply to the

Sleepy Valley community. The project opponents testified to the contrary, claiming that the permittee's use would in fact negatively impact the water supply to the Sleepy Valley WC and the neighboring Sleepy Valley community. The opponents also claimed that their water supply went dry for a period in 2004 and asserted that the permittee's pumping at that time caused the shortage.

47. At the conclusion of the Board's public hearing, the Board denied the appeal, adopted the MND and related MMP, and indicated its intent to approve the CUP with the conditions approved by Regional Planning, with several additional and/or modified conditions, described in Finding No. 48 below.
48. The Board imposed a requirement that the permittee hire a third-party consultant to conduct four inspections per year (two announced, two unannounced) to monitor the project's compliance with the conditions of approval related primarily to the permittee's daily pumping and truck trip limitations. The Board also imposed a requirement that the permittee hire a third-party engineer to calibrate, gauge, and inspect the permittee's well, pumping equipment, and gauges at least twice a year to ensure the proper operation and accuracy of such equipment, and to submit any resultant findings and recommendations to Public Works. Finally, the Board granted the permittee a five-year term but, rather than adopting Regional Planning's recommended condition that would have allowed the permittee to seek a five- or ten-year extension through a Director's Review, the Board required that any such five- or ten-year extension be subject to a noticed public hearing at the Commission.
49. The Board finds that under normal weather conditions, the project will have no impact to the Sleepy Valley community's water supply. The Board further finds that, subject to all conditions of approval and mitigation measures in the MND, the potential for the project to negatively impact the water supply of the Aquifer is insignificant. The Board finds the conditions and/or mitigation measures that limit the project's daily and annual pumping quantities, and also that require the permittee to cease pumping if the well-water depth of its well deepens to greater than 55 feet below ground surface, sufficiently preserve the Aquifer's water supply.
50. The Board finds that the project site meets the CUP burden of proof for adequate size, shape, and provision of facilities.
51. The Board finds that the project is adequately served for road access by Sierra Highway and by a local utility for electricity. The Board further finds that the permittee's site plan depicts appropriate access lines-of-site in compliance with Public Works' line-of-site requirements.
52. The Board finds that, subject to all conditions of approval, the permittee's request meets all CUP burden of proof requirements.

53. The Board finds that an Initial Study was prepared for the project in accordance with CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County of Los Angeles. The Board further finds that the second Initial Study identified potentially significant effects of the project on water supply, but that revisions to the project have been made to mitigate these effects. Based on the Initial Study and project revisions, an MND was prepared for the project.
54. The Board finds that an MMP consistent with the conclusions and recommendations of the MND was prepared and its requirements are incorporated into the conditions of approval for this project.
55. The Board reviewed and considered the MND and found that it reflects the independent judgment and analysis of the Board. After considering the MND and MMP together with any comments received during the public review process, the Board found that on the basis of the whole record before it, there was no substantial evidence the project would have a significant effect on the environment.
56. The Board finds that fulfilling the Area Plan goal to provide needed water distribution services to an existing community, while at the same time minimizing the environmental impacts of overdraft on the Aquifer, is a significant factor in approving the CUP.
57. The Board finds that, subject to all conditions of approval, the project is consistent with the Area Plan. The proposed use meets existing community needs for hauled water for residents in the community that periodically experience water shortages. The Board further finds that the potential impacts of the project on other water users in the area during times of drought are mitigated by the conditions of approval that limit daily and annual water hauling quantities, and restrict the use of water from the subject well to a certain well-water depth.
58. The Board finds that the project meets the applicable development standards for the CSD, A-1 zone, and other general development standards for the zone.
59. The Board finds that the hydro-geological analysis provided by the permittee's consultant and reviewed by Public Works is sufficient to assess the impacts of the project on the local community's water supply under normal weather conditions. The Board further finds that because uncertainty remains regarding project impacts to the Aquifer during times of drought, the permittee's compliance with the conditions of approval is required to ensure available water supply from the Aquifer during such conditions.

60. The Board finds that the CUP should be limited to a five-year term due to the uncertainty of changing water supply in the area and the need to re-evaluate compatibility of the project with the surrounding community. The Board further finds that if the permittee seeks to extend the five-year term for an additional five- or ten-year term, such an extension request should be subject to review and consideration by the Commission at a public hearing.
61. The Board finds that the permittee has demonstrated the suitability of the subject property for the proposed use. The Board further finds that establishment of the proposed use at such location is in conformity with good zoning practice, and that compliance with the conditions of approval and the environmental mitigation measures in the MMP will ensure the project's compatibility with all applicable General Plan policies.
62. The Board finds that this project is not de minimus in its effect on fish and wildlife resources and thus is not exempt from DF&G fees pursuant to section 711.4 of the California Fish and Game Code.
63. Approval of this CUP is conditioned on the permittee's compliance with the attached conditions of approval and the MMP.
64. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, Hall of Records, 13th floor, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Regional Planning

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions, and the mitigation measures in the MMP, will be consistent with the adopted General Plan;
- B. That with the attached conditions and restrictions, and the mitigation measures in the MMP, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said uses with the uses in the surrounding area; and

- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and adequately served by other public or private service facilities as are required.

**THEREFORE, THE BOARD OF SUPERVISORS:**

1. Certifies that the MND was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently considered and reviewed the MND and that it reflects the independent judgment and analysis of the Board as to the environmental consequences of the project; certifies that it considered the MMP, finding that it is adequately designed to ensure compliance with the mitigation measures during project implementation; determined that on the basis of the whole record with the MND and MMP, there is no substantial evidence that the project will have a significant effect on the environment;
2. Certifies that it adopted the MND at the conclusion of its public hearing on the project; and
3. Approves Conditional Use Permit Case No. 05-005-(5), subject to the attached conditions.

**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NO. 05-005-(5)**

1. This grant authorizes the use of the subject property for the construction, operation, and maintenance of a water distribution and sales facility located at 12800 Sierra Highway, as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept all the conditions of this grant, and that the conditions have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 9, 14, and 15. Upon recordation, an official copy of the recorded conditions shall be provided to the Director of Regional Planning ("Director").
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of section 65009 of the California Government Code or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing, pay Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to depositions, testimony, and other assistance to the permittee or the permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - A. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
  - B. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with section 2.170.010 of the Los Angeles County Code ("County Code").

6. This grant shall expire unless used within two years from the date of approval.
7. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
9. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Within fifteen (15) days after approval of this grant, the permittee shall deposit with the County the sum of \$750 to be placed in a performance fund to be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including inspecting the permittee's adherence to development in accordance with the site plan on file at Regional Planning. This fund shall provide for five (5) inspections, one every year for five (5) years. The inspections shall be unannounced.  
  
If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150 per inspection.
10. The permittee shall pump no more than 40,173 gallons of water per day, 45 acre feet of water per year, from the well on the site.
11. The maximum number of truck trips from the site shall be 15 one-way trips per day, 365 days per year, for purposes of hauling water. The permittee shall keep no more than three 3,800-gallon water hauling trucks on site at any one time.

12. This grant authorizes the permittee to supply water to residential customers only. Supplying water to commercial customers is strictly prohibited.
13. This grant shall terminate five (5) years from the approval date of this grant unless extended pursuant to this Condition No. 13. The permittee may request an extension of this grant for an additional five- (5) or ten- (10) year term by filing an application with Regional Planning within six (6) months prior to the termination of the grant. Such application shall be reviewed and considered by the County Regional Planning Commission ("Commission") at a noticed public hearing pursuant to Part 4 of Chapter 22.60 of the County Code. Upon termination of this grant, as it may be extended, entitlement to the use of the property shall be subject to the regulations then in effect.
14. The mitigation measures set forth in the project's Mitigated Negative Declaration ("MND"), including the "Project Mitigation Measures Due to Environmental Evaluation" section of the MND, and the mitigation measures set forth in the Mitigated Monitoring Program ("MMP"), attached hereto and approved as part of this grant, are incorporated herein by this reference and made conditions of this grant. The permittee shall comply with all such mitigation measures in accordance with the terms of the MMP. The permittee shall deposit the sum of \$3,000 with Regional Planning in order to defray the cost of reviewing and verifying the information contained in the required mitigation monitoring reports. The deposit is due and payable within 30 days of the approval date of this grant.
15. Within three (3) business days of the approval date of this grant, the permittee shall remit processing fees in the amount of \$2,068 payable to the County in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the California Public Resources Code and section 711.4 of the California Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No land use project subject to this requirement is final, vested, or operative until the fee is paid.
16. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance. In the event that the County deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the permittee shall compensate the County for all costs incurred in such proceedings.



17. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, or by the approved Exhibit "A" or revised Exhibit "A" approved by the Director.
18. The permittee shall comply with all requirements set forth in the Geologic Review Sheet dated April 16, 2007 and the letter dated June 27, 2007, by the County Department of Public Works ("Public Works"), attached hereto, except as otherwise required by said department.
19. All structures related to permittee's use shall comply with the requirements of Public Works' Division of Building and Safety.
20. The permittee shall comply with all requirements of the County Fire Department related to the permittee's use.
21. The permittee shall comply with all requirements set forth in the letter dated May 23, 2007, by the County Department of Public Health ("DPH"), attached hereto, except as otherwise required by said department.
22. This grant shall prohibit the permittee from hauling or supplying water to any structure or development constructed after the approval date of this grant.
23. The permittee's well shall comply with all applicable well standards under state law to the satisfaction of DPH. In the event the permittee's existing well cannot meet such standards, the permittee shall be authorized to construct a new well near the existing pump facility on site. Prior to commencing operation, the permittee shall provide the Director with documentation showing DPH's approval of either the existing well or any new well that will be used in the permittee's operation.
24. Prior to commencing operation, the permittee shall obtain any and all applicable licenses from the California Department of Health Services, Food and Drug Branch ("State Food & Drug") to operate its facility and documentation showing evidence that such licenses were issued shall be provided to the Director. The permittee shall comply with all testing, reporting, and/or other requirements of said licenses and/or licensing agency.
25. The permittee shall comply with all requirements set forth in the letter dated August 18, 2005 by the California Department of Transportation, attached hereto, except as otherwise required by said department.
26. All water-hauling trucks transporting water from the subject property shall be owned or leased by the owner and/or operator of the facility. No other water-hauling trucks shall be permitted on the premises.

27. Sierra Highway shall be used by all vehicles entering and exiting the site, including all water-hauling trucks.
28. Notwithstanding Condition Nos. 10 and 11, in the event of a residential water shortage in the Sleepy Valley community, declared and documented as an emergency by the County Board of Supervisors ("Board"), or as declared and documented as an emergency by a person or entity with appropriate jurisdiction over such matter, as verified by the County, in either case meeting the definition of emergency as defined in the California Environmental Quality Act under section 21060.3 of the California Public Resources Code, the permittee shall be allowed to exceed the limits in such Conditions regarding daily truck trips and daily and annual pumping volumes. In addition to any logs required by the MND and/or MMP, the permittee shall maintain a log to show any and all times that the permittee has exceeded the limits in such Conditions pursuant to this Condition No. 28. Such a log shall be made available to the Director upon request.
29. In the event of a water shortage emergency described in Condition No. 28, if the permittee's well continues to produce water during such emergency period, the permittee shall provide hauled water to the residents affected by the emergency, as determined by the Board, in an amount not to exceed 750 gallons per day per residence, at a maximum cost of \$3 per residence per trip. Such service shall be continued until the emergency ends or the permittee's well runs dry, as determined by the Director with evidence from the permittee. The hauled water rates set forth in this Condition No. 29 may be adjusted annually in accordance with the Consumer Price Index.
30. In accordance with the requirements of State Food & Drug, the permittee shall perform, record, and report weekly coliform and annual chemical-physical-radiological analyses and shall make these records and/or reports available to Regional Planning's zoning enforcement inspectors upon request.
31. The permittee's trucks shall not be serviced on any uncovered dirt surface on the premises.
32. The permittee shall be prohibited from storing motor vehicle fuel on the premises.
33. The permittee shall be prohibited from using internal combustion engines to pump water or to supply electricity to pumps on site, except in the event of a water shortage emergency as described in Condition No. 28.
34. Except for seasonal decorations or signage provided by or for a civic or non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about the premises. In the event that any such extraneous markings become visible, the permittee shall

remove or cover said markings, drawings, or signage within 24 hours of their visibility, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

35. Within sixty (60) days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of revised plans, similar to the Exhibit "A" presented at the Board's public hearing, that depict all project changes required by these conditions of approval.
36. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) for such revision.
37. The operating hours for the facility shall be from 8:00 a.m. to 6:00 p.m., Monday through Sunday.
38. Other than water storage in the water-hauling trucks on site, this grant shall not allow outside storage and/or display.
39. All line-of-site distances at driveway access points shall be maintained for the life of this grant and shall not be obstructed by landscaping or any other object.
40. All signage on the subject property shall comply with the requirements of Chapter 22.52, Part 10 of the County Code.
41. The facility shall have a minimum of two standard parking spaces for employees and three truck parking spaces.
42. No recreational vehicle, motor home, trailer, and/or inoperable vehicle of any kind shall be permitted to park within any required yard, setback, driveway, or designated parking area on the premises.
43. Outdoor security lighting on the premises shall be designed so as to direct light onto the facility premises only, and shall be deflected, shaded, and focused away from all adjoining properties. Such outdoor lighting shall not exceed an intensity of one-foot-candle of light throughout the facility. Minimal security lighting shall be used after 10 p.m. nightly, and such lighting shall be placed on motion detectors.
44. The permittee shall maintain all landscaping in the developed areas of the site in a neat, clean, and healthy condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary. Landscape watering facilities,

if any, shall consist of a permanent water-efficient irrigation system, such as "bubbler" or drip irrigation, to irrigate all landscaped areas, except for turf or other ground cover.

45. Any painted water tank on site shall be painted a color with a dark green tone to blend with the surrounding trees and shrubs.
46. This grant shall not authorize new construction at the site except for the construction of a new replacement well or to retrofit the existing well, as required and approved by DPH and Public Works.
47. The permittee shall maintain a current contact name, address, and telephone number on file with Regional Planning at all times.
48. Upon termination of this grant as described in Condition No. 13, or after the facility ceases to operate, the permittee shall remove and clear the site of all equipment and shall restore the site as nearly as practicable to its condition prior to the installation of the subject facilities. Failure to remove such facilities as required herein shall constitute a public nuisance.
49. Prior to commencing operation, the permittee shall post a performance security satisfactory to the director of Public Works in an amount and form sufficient to cover the cost to remove the facilities as required by Condition No. 48. In the event the facilities are not removed within 90 days after the permittee's receipt of notice requiring such removal, the County may itself cause the facilities to be removed at the expense of the permittee.
50. In addition to any other inspections required by this grant, the permittee shall retain a third-party consultant, approved by Regional Planning, to conduct four (4) inspections per year (two announced inspections and two unannounced inspections) to monitor the permittee's compliance with the following: (1) the daily truck-trip limits in Condition No. 11; (2) any and all record-keeping requirements of this grant, including the record-keeping requirements in the MMP; (3) any and all conditions requiring the permittee to maintain a valid state and/or local permit to operate; and (4) any other project condition related or relevant to these other requirements, as determined by Regional Planning.
51. The permittee shall retain a third-party engineer, approved by Public Works, to calibrate, gauge, and inspect all water wells, pumping equipment, and gauges at the site, twice a year or more frequently if deemed necessary by Public Works, to insure the proper operation and accuracy of such equipment. After each such inspection, the engineer shall submit findings and recommendations to Public Works concerning such inspection.

Attachments

Project Mitigation Measures due to Environmental Analysis

MMP

DPW 4/16/07 Geologic Review Sheet

DPW 6/27/07 Letter

DPH 5/23/07 Letter

DOT 8/18/05 Letter

## **PROJECT MITIGATION MEASURES DUE TO ENVIRONMENTAL EVALUATION**

**Project: R2005-00055**

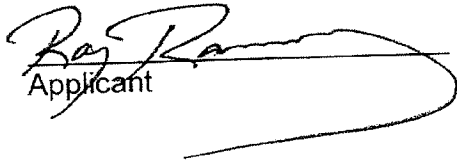
The Department of Regional Planning (DRP) staff has determined that the following mitigation measures for the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

The permittee shall deposit the sum of \$3,000.00 with the Department of Regional Planning within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

1. Water shall not be extracted from the permittee's well if the water level in the well is 55 feet below ground surface (bgs) or lower. Prior to the onset of the hauling operation and thereafter, monitoring shall occur on a daily basis. A log shall be maintained that includes:
  - Weekly recording of the static water level in the well. This water level reading may take place at any time during a 7 day period, but must occur at least every 7 days unless the water level is below 45 bgs. If the water level is below 45 bgs, a daily water level reading must be taken.
  - Number of gallons pumped per day (which must not exceed 40,173 gallons/day).
  - Rate of pumping (which must not exceed 36 gallons/minute).
2. Within five working days following the conclusion of each month, the permittee shall provide a log that shows the well water level as required in MM1 above. If the log is not provided by the 10<sup>th</sup> day following the conclusion of each month, pumping from the well shall cease. No further pumping shall be permitted until all logs are up-to-date and completed to the satisfaction of the Department of Regional Planning (DRP).
3. The permittee shall operate its well in such a way so as to not reduce the water supply of Sleepy Valley Water Company's (SVWC) wells. If a report is provided, prepared by an appropriately qualified expert that contains data, interpretation, findings and conclusions demonstrating that the permittee's operation of the water well is impacting the SVWC water supply, the county may order the permittee to reduce or cease groundwater extraction. The permittee shall not be held responsible for the costs incurred by SVWC in obtaining the necessary reports or data they must produce to substantiate a claim.
4. On an annual basis, the permittee shall submit to DRP a summary compilation report of all logs maintained throughout the year as required in MM 2 above. The summary document shall be due on January 31 of each year.

5. As a means of ensuring compliance of the above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting annual mitigation compliance report to the DRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.

As the applicant, I agree to incorporate these mitigation measures into the project, and understand that the public hearing and consideration by the Board of Supervisors will be on the project as mitigation measures.

  
Applicant

9/18/08  
Date

- ☐ No response within 10 days. Environmental Determination requires that these changes/conditions be included in the project.

\_\_\_\_\_  
Staff

\_\_\_\_\_  
Date

**MITIGATION MONITORING PROGRAM  
PROJECT R2005-00055-(5)**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<b>Utilities</b>  The permittee shall maintain a water well level of not less than 55 feet and operate its well in such a way so as to not reduce the water supply of Sleepy Valley Water Company's (SVWC) wells.	Measure water well depth.	<p>Prior to the onset of the hauling operation and thereafter, monitoring shall occur on a daily basis. A log shall be maintained that includes:</p> <ul style="list-style-type: none"> <li>Weekly recording of the static water level in the well. This water level reading may take place at any time during a 7 day period, but must occur at least every 7 days unless the water level is below 45 bgs. If the water level is below 45 bgs, a daily water level reading must be taken.</li> </ul>	Permittee	DRP, DPW & DPH
	Create and update water well log.	<p>Within five working days following the conclusion of each month, the permittee shall provide a log that shows the well water level as required above and the following:</p> <ul style="list-style-type: none"> <li>Number of gallons pumped per day (which must not exceed 40,173 gallons/day).</li> <li>Rate of pumping (which must not exceed 36 gallons/minute).</li> </ul>	Permittee	
	Cease pumping.	<p>If a log is not provided by the 10th day following the conclusion of each month, pumping from the well shall cease. No further pumping shall be permitted until all logs are up-to-date and completed to the satisfaction of the Department of Regional Planning (DRP).</p> <p>If a report is provided, prepared by an appropriately qualified expert that contains data, interpretation, findings and conclusions demonstrating that the permittee's operation of the water well is impacting the SVWC water supply, the county may order the permittee to reduce or cease groundwater extraction.</p>	Permittee	



MITIGATION MONITORING PROGRAM  
PROJECT R2005-00055-(5)

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Submit an annual summary compilation report of all logs maintained throughout the year to DRP, DPW & DPH.	Submit an annual summary compilation report of all logs maintained throughout the year to DRP, DPW & DPH.	The summary document shall be due on January 31 of each year.	Permittee	
<b>Mitigation Compliance</b> As a means of ensuring compliance with all above mitigation measures, the applicant is responsible for submitting an annual mitigation compliance report to the DRP for review and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented.	Submittal of annual Mitigation Measure Compliance report and replenishment of Mitigation Monitoring account.	Annual under such time as all mitigation measures have been implemented.	Permittee	Department of Regional Planning

Dist. Office 8.2

County of Los Angeles Department of Public Works  
**GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION**  
**GEOLOGIC REVIEW SHEET**  
900 So. Fremont Ave., Alhambra, CA 91803  
TEL. (626) 458-4925

**DISTRIBUTION**

☐ Dist. Office  
☐ Geologist  
☐ Engineer  
☒ 1 GMED File  
☐ Grading Section  
☒ 1 DRP

Tract / Parcel Map	_____	Lot(s)	_____
Parent Tract	_____	Location	_____
Site Address	<u>12800 Sierra Highway</u>		
Geologist	<u>Earth Resources Inc.</u>	Developer/Owner	<u>Ramey</u>
Soils Engineer	_____	Engineer/Arch.	_____

Review of: CUP 200500005 For: Operation and maintenance of a water distribution facility

**Reports Reviewed:**

Earth Resources, Inc., January 9, 2007, Response to County Review Letter Dated March 13, 2005, Rainmaker Water Services, 12800 Sierra Highway, Agua Dulce, California.  
Earth Resources, Inc., November 10, 2006 (Fax Date), Pump Test Results.  
Earth Systems Southwest, August 3, 2005, Private water source assessment, 12800 Sierra Highway, Agua Dulce, Los Angeles County, California.  
James M. Montgomery, Consulting Engineers, Inc., February 1982, Groundwater resource study, Agua Dulce and Mint Canyon, Los Angeles County, California, Phase 1 Agua Dulce/Mint Canyon Hydrogeologic Investigation.  
James M. Montgomery, Consulting Engineers, Inc., December 1981, Groundwater resource study, Agua Dulce and Mint Canyon, Los Angeles County, California, Phase 1 Mint Canyon Hydrogeologic Investigation.

**Remarks:**

The CUP is recommended for approval from a geotechnical standpoint for the following reasons:

- 1) The pump test conducted demonstrates that there should be no measurable effect to adjacent and nearby wells at the pumping rate proposed by the project. The maximum drawdown observed during the pump test was 5 feet, which may not be sufficient to result in an observable drawdown beyond a radius of more than a few tens of feet. However, the maximum allowed pumping volume of 40,000 gpd (per the CUP) translates to a pumping rate of about 28 gpm, which is lower than the 36-40 gpm pumping rate during the test. Therefore, the data presented by the consultants suggests that pumping of the volume proposed should not impact nearby wells. Additionally, the radius of influence of the drawdown cone can be expected to be independent of ground water elevation; therefore, these conclusions should apply during periods of drought.
- 2) The consultant concludes that the proposed project will have no negative impact over the long term, and the data provided supports this conclusion. The methods of analysis used included those provided in the above-referenced J.M. Montgomery reports that had been accepted by the County.

However, the cumulative departure curve / precipitation / ground water chart included with the ERI report suggests that ground water within the basin responds to precipitation. Therefore, during periods of drought ground water levels will drop. This has occurred in several times in the past, as depicted on the chart, and will continue to occur in the future.

**Recommendations:**

The following condition is recommended for approval of this project:

The applicant shall provide regular reporting of water usage to ensure compliance with the maximum pumping volume specified in the CUP.

Note: If any additional information is received that may materially affect these conclusions and recommendations, that information will be considered.

Prepared by

  
Charles Nestle

Reviewed by

Date 4/16/07



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE: LD-1

June 27, 2007

TO: Mark Child  
Zoning Permit Section I  
Department of Regional Planning

Attention Kim Szalay

FROM: Letty Schleikorn MS  
Subdivision Management Section  
Land Development Division

**CONDITIONAL USE PERMIT (CUP) NO. R2005-00055  
12800 SIERRA HIGHWAY  
SALE OF WATER**

- ☒ Public Works recommends approval for this CUP.
- ☐ Public Works does NOT recommend approval for this CUP.

We reviewed the subject permit in the Santa Clarita area in the vicinity of Sierra Highway and Mint Canyon Road (12800 Sierra Highway). This Permit is to allow the sale of water. This letter supersedes our October 24, 2005, letter to your Department.

Upon approval of the permit, we recommend the following conditions:

1. The applicant shall provide regular reporting of water usage to ensure compliance with the maximum pumping volume of 40,000 gallons per day.
2. Make an offer to dedicate right of way 50 feet from centerline on Sierra Highway. Twenty feet of additional right of way will be required in the future along the property frontage. An existing water well is partially located within the future right of way. The well must be abandoned at the owner's expense at such time that the County accepts the offer of dedication in order to construct roadway improvements.

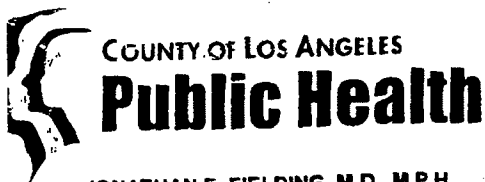
Mark Child  
June 27, 2007  
Page 2

3. Dedicate the right to restrict vehicular access on Sierra Highway along the property frontage.
4. Continuously maintain the air space dedicated to the County of Los Angeles for line of sight purposes as indicated on the attached plan.

If you have any questions regarding Nos. 1 through 3, please contact Barry Witter at (626) 458-4351. If you have any questions regarding No. 4, please contact Mathew Dubiel at (626) 300-4862.

SA:ca  
P:\LDPUB\TRANS\CUPS\CUPR2005-00055 SALE WATER

Attach.



**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**JOHN SCHUNHOFF, Ph.D.**  
Chief Deputy Director

**Environmental Health**  
Terrance Powell, R.E.H.S.  
Acting Director of Environmental Health  
5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5100 • FAX (626) 813-3000

[www.lapublichealth.org](http://www.lapublichealth.org)

**BOARD OF SUPERVISORS**

**Gloria Molina**  
First District

**Yvonne B. Burke**  
Second District

**Zev Yaroslavsky**  
Third District

**Don Knebe**  
Fourth District

**Michael D. Antonovich**  
Fifth District

RECEIVED  
MAY 21 2007

May 23, 2007

Kim Szaley  
Zoning Permits I Section  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles, California 90012

**Re: Project No. R2005-00055, 12800 Sierra Highway, Agua Dulce**

Dear Mr. Szaley:

This is in response to a request from your department regarding the Department of Public Health's (DPH) concern regarding the Conditional Use Permit hearing for the property at 12800 Sierra Highway, Agua Dulce, California.

As discussed in a telephone conversation with Alfonso Medina, Director, Environmental Protection Bureau, on May 16, 2007, the DPH is not opposed to a hearing for Roy Ramey's Project No. R2005-00055.

However, the DPH still does not have any records to show that the unapproved well at the above address was constructed under permit from this Department and is in conformance with the requirements of the California Well Standards. We are unable to recommend approval of the use of this well until it has been brought into compliance with the California Well Standards and the standards of Environmental Health. This includes laboratory analysis of the water after all construction work according to the bacteriological and chemical requirements of the California Code of Regulations, Title 22.

In a telephone conversation of May 15, 2006, with Mr. Joe Cota, representative for Roy Ramey, Mr. Medina indicated Mr. Cota informed him, the current well in question at 12800 Sierra Highway, Agua Dulce was not going to be used and would eventually be properly decommissioned. A new well in close proximity to the unapproved well would be built in conformance with all requirements including a permit with Environmental Health.

*"To Enrich Lives Through Caring And Effective Service"*

Kim Szaley  
May 23, 2007  
Page 2

If the current unapproved well in question is decommissioned or brought into compliance and/or a new well is built in compliance with all requirements before a CUP is issued, DPH would not oppose a CUP hearing.

If you have any questions regarding the above, please contact Alfonso Medina, Director, Environmental Protection Bureau at (626) 430-5280.

Very truly yours,

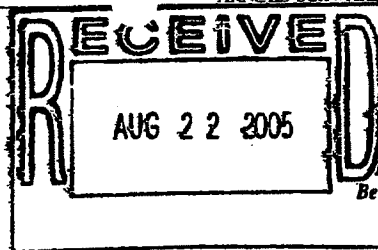


Terrance Powell, R.E.H.S.  
Acting Director of Environmental Health

TP:am

c: Alfonso Medina  
Richard Wagener  
Swati Bhatt  
Joe Cota

DEPARTMENT OF TRANSPORTATION  
DISTRICT 7, REGIONAL PLANNING  
IGR/CEQA BRANCH  
100 MAIN STREET, MS # 16  
LOS ANGELES, CA 90012-3606  
PHONE: (213) 897-3747  
FAX: (213) 897-1337



IGR/CEQA No. 050815AL  
Proj. No. R2005 and CUP No. 200500005  
Water Distribution Facility  
Vic. LA-14 / PM 39.85  
SCH # 2005081009

August 18, 2005

Mr. Kim K. Szalay  
L.A. County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Mr. Szalay:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is to authorize the continued operation and maintenance of a water distribution facility using water hauling trucks.

Any transportation of water which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods. Thank you for the opportunity to have reviewed this project.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 050815AL.

Sincerely,

CHERYL J. POWELL  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse